

⁴ PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Wayne Hughes

Docket Number: 05-00228-001

PACTS Number: 42770

Name of Sentencing Judicial Officer: HONORABLE Freda L. Wolfson

Date of Original Sentence: 02/10/2006

Original Offense: Possession of a Firearm by a Convicted Felon

Original Sentence: 37 months imprisonment; 3 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 10/09/07

Assistant U.S. Attorney: Matthew Skahill, 401 Market St., 4th Floor, P.O. Box 2098, Camden, New Jersey 08101, (609) 757-5026

Defense Attorney: Richard Coughlin, 840 Cooper Street, Suite 350, Camden, New Jersey 08102, (609) 757-5341

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. The offender has violated the supervision condition which states, "**The defendant shall reside for a period of 4 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.**"

On January 1, 2009 at 6:40am, the offender left the Kintock Community Corrections Center in Philadelphia, Pennsylvania without authorization and failed to return to the facility. He was subsequently terminated from the program on January 5, 2009.

According to staff at Kintock, on January 1, 2009, the offender demanded to be released from their facility, claiming that it was his understanding that his release date was January 1, 2009. Staff at Kintock informed the offender that his release date was January 9, 2009. Nevertheless, after learning this information the offender left Kintock Community Corrections Center without authorization and failed to return to the facility.

In addition to absconding from the facility, the offender received seven infractions from the facility that included: 1) returning late after curfew on several occasions, 2) failing to pay his subsistence fee, 3) watching television without approval after hours, 4) being terminated from his employment, and 5) failing to obtain employment within 15 days after being terminated.

2. The offender has violated the supervision condition which states, **"You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician."**

On July 21, 2008, the offender submitted an instant urine sample that tested positive for the presence of phencyclidine, otherwise known as "PCP". The offender admitted he used PCP on or about July 16, 2008, and signed an admission of drug use form stating same.

The court will note that this charge was addressed in the petition to modify the conditions of supervised release to include 4 months community confinement on August 12, 2008.

3. The offender has violated the supervision condition which states, **"The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office."**

On June 3, 2008, and June 23, 2008, the offender failed to report for random drug testing as directed by the U.S. Probation Office.

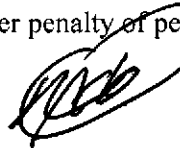
The court will note that the offender's failure to report on June 3, 2008, and June 23, 2008, were addressed in the petition to modify the conditions of supervised release to include 4 months community confinement on August 12, 2008.

On January 7, 2009, the offender failed to report for random drug testing as directed by the U.S. Probation Office.

4. The offender has violated the supervision condition which states, "**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**"

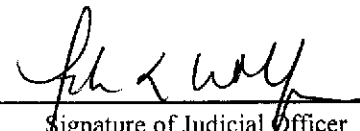
The offender failed to submit his Monthly Supervision Reports for the months of July, August, September, October, November, and December 2008.

I declare under penalty of perjury that the foregoing is true and correct.


By: Daniel J. Carney
U.S. Probation Officer
Date: 1/9/09

THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: 1-28-09 @ 11:30 AM
☐ No Action
☐ Other



Signature of Judicial Officer

1/13/09

Date